
Subject: RE: L14-1470 | Nieman v. Concrete Cowboy, et al., Civil Action No. 3:14cv3897-M-BF (Amended Complaint Status)

From: Wilson, Tatia (tatia.wilson@dallascityhall.com)

To: nieman46804@yahoo.com;

Cc: andy@txmunicipallaw.com; Eric.Hudson@texasattorneygeneral.gov; Premington@trtblaw.com; JKornely@watsoncaraway.com; JParma@watsoncaraway.com; james.butt@dallascityhall.com; Jason.Schuette@dallascityhall.com;

Date: Tuesday, January 6, 2015 10:26 AM

Mr. Nieman –

To be clear, the City of Dallas and the individual City defendants (McKinney, Helton, Milam, and Merrell) intend to challenge the factual allegations and legal sufficiency of your first amended complaint at the appropriate time as permitted by the Federal Rules of Civil Procedural and applicable law.

Regards,

Tatia R. Wilson

Senior Assistant City Attorney
Dallas City Attorney's Office

1500 Marilla Street, 7CN

Dallas, Texas 75201

Tel: 214-671-9553

Fax: 214-670-0622



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immediately. Thank you.

From: Jason Nieman [mailto:nieman46804@yahoo.com]
Sent: Tuesday, January 06, 2015 8:34 AM
To: Wilson, Tatia
Cc: Andy Messer; Hudson, Eric; Premington@trtblaw.com; JKomely@watsoncaraway.com; JParma@watsoncaraway.com; Butt, James; Jason Nieman
Subject: Re: L14-1470 | Nieman v. Concrete Cowboy, et al., Civil Action No. 3:14cv3897-M-BF (Amended Complaint Status)

Thank you.

For the record while I have received copies of dispositive motions no Defendant or counsel has apparently made any specific objection as to the content of the drafted 1st Amended Complaint as to facts and/or legal sufficiency.

Sincerely,

Jason Nieman

217 836 7126

From: "Wilson, Tatia" <tatia.wilson@dallascityhall.com>
To: 'Jason Nieman' <nieman46804@yahoo.com>
Cc: Andy Messer <andy@txmunicipallaw.com>; "Hudson, Eric" <Eric.Hudson@texasattorneygeneral.gov>; "Premington@trtblaw.com" <Premington@trtblaw.com>; "JKomely@watsoncaraway.com" <JKomely@watsoncaraway.com>; "JParma@watsoncaraway.com" <JParma@watsoncaraway.com>; "Butt, James" <james.butt@dallascityhall.com>; "Schuette, Jason" <Jason.Schuette@dallascityhall.com>
Sent: Monday, January 5, 2015 6:04 PM
Subject: L14-1470 | Nieman v. Concrete Cowboy, et al., Civil Action No. 3:14cv3897-M-BF

Mr. Nieman –

Pursuant to Rule 4(d)(3) of the Federal Rules of Civil Procedure, Defendants John McKinney, Dwaine N. Helton,

and Michael Milam intend to file either an answer or Rule 12 motion to Plaintiff's Original Complaint on Friday, January 9, 2015, which is the 60th day following the date you sent them your request for waiver of service of summons in this case. Officer Jessica Merrell likewise will be filing an answer or Rule 12 motion to the original complaint on that date, notwithstanding the issues raised by your attempted service of process on her. If you desire to amend your complaint, you may of course do so within the framework of the Federal Rules of Civil Procedure.

Regards,

Tatia R. Wilson

Senior Assistant City Attorney
Dallas City Attorney's Office
1500 Marilla Street, 7CN
Dallas, Texas 75201
Tel: 214-671-9553
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From: Jason Nieman [<mailto:nieman46804@yahoo.com>]

Sent: Saturday, January 03, 2015 11:15 AM

To: Wilson, Tatia; Andy Messer; Hudson, Eric; Premington@trtblaw.com; JKornely@watsoncaraway.com; JParma@watsoncaraway.com; Butt, James

Cc: Jason Nieman

Subject: Re: Nieman v. Concrete Cowboy; 3:14 cv 3897 - Case Status (1st Amended Complaint Final Draft - AMENDED + Issue of Responsive Pleadings For Remaining Defendants)

Good morning,

I am attaching what I believe will be my final drafts of my motion for leave to amend and my drafted amended complaint. Again, I still plan to hold filing of these items and my responses to the dispositive motions [Dkt. 11-14] until Friday, 1/9/2015 to allow the various parties/counsel to provide any final approval or objection to the motion and/or proposed amended complaint. This most recent edit mostly contains some additional facts and supports as to *Monell* causes against the City of Dallas.

If I could also politely ask that the various parties/counsel limit the use of Certified Mail with Return Receipt. Note that USPS Priority Mail will provide a delivery confirmation. But given that my mailman doesn't always bring things to the house and that I am usually not at home when the mail arrives, this is an extra hassle that I could do without. I have received copies of pleadings and even a request for a medical authorization via Certified/RR. I think we could all do with less hassle and expense so I politely ask that such format (Certified/RR) be restricted to those things that actually require such a format, which should be few in light of ECF. Thank you.

One last item: I believe that responsive pleadings are due on or about 1/10/2015 as to the Defendants who agreed to waivers (DCHD Parkland, Parkland Individual, UTSW individual). I do not believe I have the authority to grant any extension, but if I am correct the Court has that power as to an answer or other response/dispositive motion under Rule 6. I have no objection if any of the waiver defendants (those who have not yet filed a motion to dismiss) wish to seek a brief extension of time (say 30 to 45 days to allow for the amended complaint issues to be sorted out) from the Court as to such response(s). Similarly, if Ms. Wilson will drop any objection to whether or not officer Morrell has been properly served, I will also agree not to oppose a motion seeking a similar extension.

Sincerely,

Jason Nieman
Plaintiff Pro Se
217 836 7126